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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,122	02/17/2004	Ganesh Basawapatna	119691-163492	1976
60/172 7590 11/24/2009 SCHWABE, WILLIAMSON & WYATT, P.C. 1420 FIFTH, SUITE 3010 SEATTLE, WA 98101				
EXAMINER				
HOSSAIN, FARZANA E				
ART UNIT		PAPER NUMBER		
2424				
MAIL DATE		DELIVERY MODE		
11/24/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/781,122

**Applicant(s)**

BASAWAPATNA ET AL.

**Examiner**

FARZANA HOSSAIN

**Art Unit**

2424

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-25, 28-30, 34-37, 41, 43-45 and 48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-25, 28-30, 34-37, 41, 43-45 and 48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Proficiency's Patent Drawing Review (PTO-544)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office is in response to communications filed on 08/11/2009. Claims 1-20, 26, 27, 31-33, 38-40, 42, 46 and 47 are cancelled. Claims 21-25, 28-30, 34-37, 41, 43-45 and 48 are amended.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

The applicants argue that cited prior art does not disclose the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations.

Stoel and Kitamura do not disclose the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations.

### ***Claim Objections***

3. Claims 21 is objected to because of the following informalities:

Claim 21 has been amended. Claim 21 discloses the interface unit at each respective customer location corresponding to the receiver/decoder that

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received/decoded the one or more multiplexed channel signals and that output the video channels. The examiner requests the applicant to clarify the limitation, currently the examiner assumes that if the respective location relates to a service module it corresponds to receiver/decoders.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 21, 22, 24, 28-30, 34, 35, 41 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoel et al (US 5,905,942 and hereafter referred to as "Stoel") in view of Kitamura et al (US 6,188,871 and hereafter referred to as "Kitamura") and Adams (US 6,378,130 and hereafter referred to as "Adams").

Regarding Claim 21, Stoel discloses a cable distribution system (Figure 1, 10), comprising:

a plurality of service modules (Figure 1, 28) associated with a headend (Figure 1, 12), configured to receive signals from a plurality of video sources and further configured to multiplex certain ones of the signals together to create one

or more multiplexed channel signals (Figure 1, 12, Figure 3A, 86, 92, Figure 3B, 96, Column 11, lines 6-13), wherein each service module is receiving configured to receive one or more of the multiplexed channel signals (Column 2, lines 53-56).

It is necessarily included that Stoel discloses at least one receiver/de-interdicator within each service module (Figure 1, 28) as the service module receives signals from the headend and the service module or interdiction field unit receives and de-interdicts signals. Therefore, Stoel discloses a receiver/de-interdicator or receiver/decoder configured to receive and decode the one or more multiplexed signals, to select one or more video channels, not all, of the certain ones of the signals from one or more of the multiplexed channel signals so as to output video channels (Column 2, lines 53-64, Column 5, lines 8-16) and

provide the video channel that is determined by the headend via control signals sent to the interdiction field unit or service module, each video channel received/decoded or de-interdicted by the given service module or interdiction field unit being sent to the interface unit (Column 4, lines 45-55, Column 5, lines 10-20), providing video channels to a plurality of interface units (Figure 1, 18) located at different customer location, each interface unit receptive of the video channel (Figure 1, 18, Column 1, lines 64-67, Column 2, lines 1-23, Figure 2, 44).

Stoel is silent on the service module providing one or more receiver/decoders within each service module the video channel to an output interface multiplexer in the service module, the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface

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units located at each of a plurality of different customer locations, the interface unit at each respective customer location corresponding to the receiver/decoder that received/decoded the one or more multiplexed channel signals and that output the video channels.

In analogous art, Kitamura discloses a plurality of service modules associated with the headend (Figure 3, 104, Column 1, lines 35-47), with a plurality of customers (Figure 3, Subscribers 1, 2, M) and each service module associated each service module receiving one or more of the multiplexed channel signals (Column 7, lines 16-34, Figure 3); one or more receiver/decoders within each service module (Figure 1, 105), the one or more receiver/decoders configured to receive the one or more multiplexed channel signals (Column 7, lines 5-34, Figure 3), wherein each receiver/decoder is configured to select one or more, but not all, of the selected ones of the signals from one or more of the multiplexed channel signals as video channels (Column 7, lines 5-16), further configured to provide the video channels to interface units located at different customer locations, the interface unit at each respective customer location corresponding to the receiver/decoder that received/decoded the video channels (Column 7, lines 5-34, Figure 3, Subscriber 1, Receiver, Subscriber 2, Receiver).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Stoel with providing the video channels to interface units located at different customer locations, the interface unit at each respective customer location corresponding to the receiver/decoder

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that received/decoded the video channels (Column 7, lines 5-34, Figure 3, Subscriber 1, Receiver, Subscriber 2, Receiver) as taught by Kitamura in order to provide a system which allows a subscriber in a home to enjoy CATV on two different TV sets installed in different rooms (Column 1, lines 56-64) as disclosed by Kitamura.

The combination is silent on to provide the video channels to an output interface multiplexer in the service module, the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations.

In analogous art, Adams discloses further configured to provide the video channels to an output interface multiplexer (Figure 5, 100) in the service module (Figure 4, 70), the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations (Column 9, lines 50-59).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the combination further configured to provide the video channels to an output interface multiplexer (Figure 5, 100) in the service module (Figure 4, 26), the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations (Column 9, lines 50-59) as taught by Adams in order to allow a user to select any program provided by any server (Column 9, lines 55-57) as disclosed by Adams.

Regarding Claim 22, Stoel, Kitamura and Adams disclose all the limitations of Claim 21. Stoel discloses one or more of the plurality of service modules are each separately connected to a corresponding one or more of the plurality of interface units (Figure 1, 16, 28). Kitamura discloses that one or more of the plurality of service modules are each separately connected to a corresponding one or more of the plurality of interface units (Figure 3, Figure 13).

Regarding Claim 24, Stoel, Kitamura and Adams disclose all the limitations of Claim 21. Stoel discloses a headend is a local headend located in a same building or set of buildings as the customer locations (Figure 1, 12).

Regarding Claim 28, Stoel, Kitamura and Adams disclose all the limitations of Claim 21. Kitamura discloses each interface unit is capable of processing the combined signal without a frequency converter (Figure 12).

Regarding Claim 29, Stoel, Kitamura and Adams disclose all the limitations of Claim 21. Kitamura discloses that each service module is configured to utilize the plurality of same predetermined frequencies as each other service module as the plurality of service modules or regional common blocks can be connected in parallel so that a subscriber belonging to one service module can be accepted by another service module so that a subscriber can provide the user with the requested service based on a predetermined frequencies (Column 11, lines 15-54).

Regarding Claim 30, Stoel, Kitamura and Adams disclose all the limitations of Claim 21. Stoel discloses each interface unit is configured to pass information back upstream to an associated service module that includes



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channel selection information for interactive sessions including (Column 3, lines 45-55, Column 4, lines 46-67, Column 5, lines 1-26).

Regarding Claim 34, Stoel discloses a cable distribution system (Figure 1, 10), comprising:

a plurality of service modules associated with a headend (Figure 1, 28) configured to receive signals from a plurality of video sources and further configured to multiplex certain ones of the signals to create one or more multiplexed channel signals (Figure 3B, 96, Column 11, lines 6-13), wherein each service module with a plurality of customers (Figure 1, 18A, 18C) and configured to receive one or more of the multiplexed channel signals (Figure 1, 28, Column 2, lines 53-56).

It is necessarily included that Stoel discloses at least one receiver/de-interdictor within each service module (Figure 1, 28) as the service module receives signals from the headend and the service module or interdiction field unit receives and de-interdicts signals. Therefore, Stoel discloses a receiver/de-interdictor or receiver/decoder configured to receive the one more signals, to select one or more video channels, not all, of the certain ones of the signals from one or more of the multiplexed channel signals as video channels (Column 2, lines 53-64, Column 5, lines 8-16) and

provide the video channel that is determined by the headend via control signals sent to the interdiction field unit or service module, each video channel received/decoded or de-interdicted by the given service module or interdiction

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field unit being sent to the interface unit (Column 4, lines 45-55, Column 5, lines 10-20), the interface unit (Figure 1, 18) located at customer locations, each interface unit receptive of the video channel (Figure 1, 18, Column 1, lines 64-67, Column 2, lines 1-23, Figure 2, 44), providing video channels to a plurality of interface units (Figure 1, 18, Column 1, lines 64-67, Column 2, lines 1-23, Figure 2, 44).

Stoel is silent on the service module providing one or more receiver/decoders within each service module the video channel to a multiplexer in an interface unit wherein each video channel in the subset of video channels is provided at a predetermined output frequency unrelated to the conventional cable frequency normally associated with the selected video channel; wherein the predetermined output frequencies of other receiver/decoders in any one service module; combined with other video channels of any one service module into a single signal, the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations, the interface unit at each respective customer location corresponding to the receiver/decoder that received/decoded the one or more multiplexed channel signals and that output the video channels.

In analogous art, Kitamura discloses a plurality of service modules associated with the headend (Figure 3, 104, Column 1, lines 35-47), with a plurality of customers (Figure 3, Subscribers 1, 2, M) and each service module associated each service module receiving one or more of the multiplexed channel signals (Column 7, lines 16-34, Figure 3); one or more

receiver/decoders within each service module (Figure 1, 105), the one or more receiver/decoders configured to receive the one or more multiplexed channel signals (Column 7, lines 5-34, Figure 3), wherein each receiver/decoder is configured to select one or more, but not all, of the selected ones of the signals from one or more of the multiplexed channel signals as video channels (Column 7, lines 5-16), wherein a predetermined output frequency of the one or more receiver/decoders in a given service module is different a predetermined output frequency of any other receiver/decoder in a same service (Figure 11, Column 1, lines 65-67, Column 2, lines 1-7, 22-47), further configured to provide the video channels to interface units, the interface unit at each respective customer location corresponding to the receiver/decoder that received/decoded the video channels (Column 7, lines 5-34, Figure 3, Subscriber 1, Receiver, Subscriber 2, Receiver).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Stoel with providing one or more receiver/decoders within each service module (Figure 1, 105) video channels (Column 7, lines 5-34, Figure 3, 117, Receiver), wherein a predetermined output frequency of the one or more receiver/decoders in a given service module is different a predetermined output frequency of any other receiver/decoder in a same service (Figure 11, Column 1, lines 65-67, Column 2, lines 1-7, 22-47) as taught by Kitamura in order to provide a system which allows a subscriber in a home to enjoy CATV on two different TV sets installed in different rooms (Column 1, lines 56-64) as disclosed by Kitamura.

The combination is silent on to provide the video channels to an output interface multiplexer in the service module, the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations.

In analogous art, Adams discloses further configured to provide the video channels to an output interface multiplexer (Figure 5, 100) in the service module (Figure 4, 70), the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations (Column 9, lines 50-59).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the combination further configured to provide the video channels to an output interface multiplexer (Figure 5, 100) in the service module (Figure 4, 26), the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations (Column 9, lines 50-59) as taught by Adams in order to allow a user to select any program provided by any server (Column 9, lines 55-57) as disclosed by Adams.

Regarding Claim 35, Stoel, Kitamura and Adams disclose all the limitations of Claim 34. Stoel discloses a headend is a local headend located in a building or set of buildings where a plurality of customer locations are situated (Figure 1, 12).

Regarding Claim 41, Stoel, Kitamura and Adams disclose all the limitations of Claim 34. Kitamura discloses that service modules include frequency converters (Figure 3) and that the service module distributes frequencies to subscribers lines in the service module or regional common block (Figure 11), the service module includes a frequency converter is capable of processing the combined signal (Column 2, lines 35-45), and each interface unit without a frequency converter (Figure 12).

Regarding Claim 43, Stoel, Kitamura and Adams disclose all the limitations of Claim 34. Stoel discloses each interface unit is configured to pass information that includes channel selection information back upstream to an associated service module (Column 3, lines 45-55, Column 4, lines 46-67, Column 5, lines 1-26).

6. Claims 23 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoel in view of Kitamura and Adams as applied to claims 21 and 35 above, and further in view of Farber et al (US 6,486,907 and hereafter referred to as "Farber").

Regarding Claim 23, Stoel, Kitamura and Adams disclose all the limitations of Claim 21. Stoel discloses one or more of the plurality of service modules are each separately connected to a corresponding one or more of the plurality of interface units (Figure 1, 16, 28). Kitamura discloses each of a respective service module of the plurality of service modules corresponds to one or more interface units of the plurality of interface units (Figure 3, Figure 13), the

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selected output frequency of each receiver/decoder in a given service module is different from a selected output frequency of any other receiver/decoder in the given service module (Figure 11, Column 1, lines 65-67, Column 2, lines 1-7, 22-47), each of the video channels received/decoded by a given service module being combined together into a single signal and further wherein each interface unit is receptive of the single signal and from the service module (Figure 11, Column 1, lines 65-67, Column 2, lines 1-7, 22-47), wherein each of the plurality of the interface units is configured to provide only a selected one of the video channels in the combined signal to the video displaying apparatus (Figure 2, Figure 3, 117, Column 10, lines 30-40). The combination is silent on interface units arranged in a loop through relationship with respect to their respective service modules. Farber discloses the interface units are arranged in a loop through relationship with respect to their service modules (Figure 1, Figure 2, 46, 54, and 58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include interface units are arranged in a loop through relationship with respect to their service modules (Figure 1, Figure 2, 46, 54, 58) as taught by Farber in order to improve of the performance of distribution of satellite signals in an apartment building outputting in a single cable (Column 1, lines 32-44, 66-67, Column 2, lines 1-9) as disclosed by Farber.

Regarding Claim 37, Stoel, Kitamura and Adams disclose all the limitations of Claim 35. Stoel discloses that service modules are dispersed throughout the building or set of buildings (Figure 1, 28, 18A-D). Stoel, Kitamura

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and Adams are silent on at least one service module for each floor of the building or set of buildings. Farber discloses each service module of the plurality of service modules located at a different location throughout each floor of the building or set of buildings relative to other service modules of the plurality (Figure 2, 46, 54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include each service module of the plurality of service modules located at a different location throughout each floor of the building or set of buildings relative to other service modules of the plurality (Figure 2, 46, 54) as taught by Farber in order to improve of the performance of distribution of satellite signals in an apartment building outputting in a single cable (Column 1, lines 32-44, 66-67, Column 2, lines 1-9) as disclosed by Farber.

7. Claims 25, 36 and 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoel in view of Kitamura and Adams as applied to claims 24, 31 and 35 above, and further in view of Hoarty et al (US 2005/0114906 and hereafter referred to as "Hoarty").

Regarding Claims 25 and 36, Stoel, Kitamura and Adams disclose all the limitations of Claims 24 and 35 respectively. Stoel discloses each of the plurality of service modules associated with the headend, that the headend is a local headend located in a building or set of buildings where the customer locations are (Figure 1, 12, 28). Stoel and Kitamura and are silent on master headend that is remote from the building or the set of buildings, the regional headend

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providing video channels at selected frequencies to the local headend. Hoarty discloses a local headend (Figure 1, 11) and master headend located remotely from the local headend (Figure 1, 15), the regional headend providing video channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057). It is necessarily included that if the master headend is located remotely from the local headend, it remote from the building or set of buildings. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include master headend remotely from the local headend (Figure 1, 15), the master headend providing video channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057) as taught by Hoarty in order to provide an improved system to handle switching and computing demands to provide separate and private information services simultaneously (Page 1, paragraph 0006, Page 3, paragraph 0046) as disclosed by Hoarty.

Regarding Claim 44, Stoel, Kitamura and Adams disclose all the limitations of Claim 21. Stoel discloses that the local headend located in a building or set of buildings where the customer locations are (Figure 1, 12) which receives signals from different locations (Column 2, lines 3-14). Stoel, Kitamura and Adams are silent on headend that is remote from the building or the set of buildings, the headend configured to provide video channels at selected frequencies to the local headend. Hoarty discloses a headend is a local headend that is configured to receive a signal from a master headend (Figure 1, Page 3,



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paragraph 0046, Page 8, paragraphs 0054, 0057). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a headend is a local headend that is configured to receive a signal from a master headend (Figure 1, 15) as taught by Hoarty in order to provide an improved system to handle switching and computing demands to provide separate and private information services simultaneously (Page 1, paragraph 0006, Page 3, paragraph 0046) as disclosed by Hoarty.

Regarding Claims 45, Stoel, Kitamura and Adams disclose all the limitations of Claims 21. Stoel discloses that the headend is a local headend located in a building or set of buildings where the customer locations are (Figure 1, 12). Stoel and Kitamura and Adams are silent on headend that is remote from the building or the set of buildings, the second headend providing video channels at selected frequencies to a local headend. Hoarty discloses a local headend (Figure 1, 11) and a second headend or master headend remote from the local headend (Figure 1, 15), the headend or second headend providing video channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057). It is necessarily included that if the master headend is remote from the local headend, it remote from the building or set of buildings. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a headend or second headend or master headend remote from the local headend (Figure 1, 15), the headend or second headend providing

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video channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057) as taught by Hoarty in order to provide an improved system to handle switching and computing demands to provide separate and private information services simultaneously (Page 1, paragraph 0006, Page 3, paragraph 0046) as disclosed by Hoarty.

8. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stoel in view of Kitamura and Adams as applied to claims 34 above, and further in view of Granger (US 5,483,277).

Regarding Claim 48, Stoel, Kitamura and Adams disclose all the limitations of Claim 34. Stoel, Kitamura and Adams are silent on including a separate fixed frequency bandpass filter located at each customer location for each interface unit, the bandpass filter substantially preventing video channels other than a selected video channel associated with that interface unit to pass through to the interface unit. Granger discloses a separate fixed frequency bandpass filter located at each customer location for each interface unit, the bandpass filter substantially preventing video channels other than the selected video channel associated with that interface unit to pass through to the interface unit (Column 6, lines 42-56, Column 7, lines 43-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a separate fixed frequency bandpass filter located at each customer location for each interface unit, the bandpass filter substantially preventing video channels other than the selected video channel

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associated with that interface unit to pass through to the interface unit (Column 6, lines 42-56, Column 7, lines 43-55) as taught by Granger in order to be connect to only requested TV channels and a VCR channel (Column 1, lines 53-67, Column 2, lines 1-10) as disclosed by Granger.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **FARZANA HOSSAIN** whose telephone number is (571)272-5943. The examiner can normally be reached on Monday

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7:30 am to 1:30 pm, Tuesday 7:30 am to 2:30 pm and Wednesday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Kelley/  
Supervisory Patent Examiner, Art  
Unit 2424

FEH  
November 20, 2009